

JC10 Rec'd PCT/PTO 02 AUG 2005

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NO.
		70235USPCT U.S. APPLICATION NO. <b>10/544284</b>
INTERNATIONAL APPLICATION NO. PCT/EP2004/001427	INTERNATIONAL FILING DATE 16 February 2004	PRIORITY DATE CLAIMED 18 February 2003
TITLE OF INVENTION EXPRESSION IN PLANTS OF ANTIBODIES AGAINST ENTEROTOXIGENIC <i>ESCHERICHIA COLI</i>		
APPLICANT(S) FOR DO/EO/US Devon Brown et al.		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9), and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau)
  - b. ☒ has been communicated by the International Bureau
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - a. ☐ is attached hereto.
  - b. ☒ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau)
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items of information: Submission of Sequence Listing Including Statement of Verification, Credit Card Payment Form; Express Mail Certificate and Return Postcard

US APPLICATION NO: <b>10/544284</b>		INTERNATIONAL APPLICATION NO. PCT/EP2004/001427		ATTORNEY'S DOCKET NO. 70235USPCT	
21. The following fees are submitted:					
<input checked="" type="checkbox"/> a) Basic National fee.....				\$300.00	
<input checked="" type="checkbox"/> b) Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....				\$200.00	
All other situations.....				\$0	
<input checked="" type="checkbox"/> c) Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provision of PCT Article 33(1)-(4).....				\$400.00	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....				\$100.00	
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated by the IB.....				\$400.00	
All other situations.....				\$500.00	
<b>TOTAL OF 21, 22 and 23 =</b>				\$900.00	
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821 (c) or (e) or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
125 - 100 =	25/50 =	1	x \$250.00	\$250.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	62 - 20 =	42	x \$50.00	\$2100.00	
Independent Claims	7 - 3 =	4	x \$200.00	\$800.00	
MULTIPLE DEPENDENT CLAIM(S)			+ \$360.00	\$	
<b>TOTAL OF THE ABOVE CALCULATIONS =</b>				\$4050.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f))				\$	
<b>TOTAL NATIONAL FEE =</b>				\$4050.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) \$40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$4050.00	

	Amount to be refunded:	\$
	Amount to be charged:	\$

- a. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$\_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1744 in the name of Syngenta Biotechnology, Inc. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit Card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Syngenta Biotechnology, Inc.  
3054 Cornwallis Road  
Research Triangle Park, North Carolina 27709

  
SIGNATURE

Mary Kakefuda  
NAME

39,245  
REGISTRATION NUMBER

Attorney Docket No. 70235USPCT

**FILING BY "EXPRESS MAIL" UNDER 37 § C.F.R. 1.10**

I hereby certify that the following correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 under Express Mail Label No. ED 129271696 US on August 2, 2005.

- 1) Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371
- 2) Application Data Sheet (5 pages total)
- 3) Submission of Sequence Listing Including Statement of Verification
- 4) Computer Readable Form of the Sequence Listing
- 5) Preliminary Amendment (10 pages total)
- 6) Copy of published International Application No. PCT/EP2004/001427
- 7) Credit Card Payment Form
- 8) Return Postcard

Melissa Hardy

Name

Melissa Hardy

Signature